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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./3545/2026

SAHIDUL ISLAM
S/O SAGOR ALI
R/O VILLAGE - HELAPAKHRI
P.S.- ABHAYAPURI
DISTRICT - BONGAIGAON
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR. N UDDIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 20.11.2026

Heard Mr. N. Uddin, learned Counsel for the petitioner and Ms. A. Begum, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for bail in connection with Abhayapuri PS Case No. 275/2026 registered under Section 112(2)/61(2)/318(4)/62/336(3)/338/340(2)/317(4)/3(5) of BNS, 2023. The FIR in connection with which the petitioner was arrested on 07.10.2026 was lodged by the police personnel stating inter alia that on an information about organized fake gold cheating and forgery, naka checking took place and the petitioner along with two others were intercepted and that two other accused person fled from the place and the petitioner was arrested and from him, one fake gold article, one black polythene use for concealing the same and other articles were seized.

3. The learned Counsel for the petitioner submits that offence of cheating is not made out in the present case as there was no allegation that the said item, which was seized from him was a fake gold article and he tried to sell it faking the same as gold item.

4. On the other hand, Ms. A. Begum, learned Additional Public Prosecutor for the State on perusal of the Case Diary submits that the fake gold article was seized from the petitioner and that the two persons seeing the police had fled away from the place and it is also stated by her that the said articles was

supposed to be sold by the petitioner and two persons were called at the said place.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that there is no allegation that the petitioner tried to sell the said article faking as gold to some other person and also due to the fact that the petitioner has been inside the jail for the last 45 days, this Court deems it fit to enlarge the petitioner on bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the SDJM(M), North Salmara, Abhayapuri under the following conditions:

i) the petitioner will appear before the Investigating Officer as and when called for.

ii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioner will not leave the place of jurisdiction without the permission of the concerned Court.

6. Petition is disposed of.

JUDGE

Comparing Assistant